IN RE: PETITION FOR ADMIN. VARIANCE
W. side of Berans Road, 2,400 ft. E of
intersection of Harmony Woods Road
8<sup>th</sup> Election District
3<sup>rd</sup> Councilmanic District
1204 Berans Road
Bradley S. Glaser, et ux
Petitioners

\* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 99-425-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Bradley S. Glaser and Amy E. Glaser, his wife, property owners, for that property known as 1204 Berans Road in the Morrisville subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (BCZR) to allow an accessory structure (tennis court) to be located on the side yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

10 6/1/99

r 1

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.
- 3) The Petitioners shall be prohibited from installing any lighting at the tennis courts.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

June 1, 1999

Mr. Bradley S. Glaser 1204 Berans Road Owings Mills, Maryland 21117

> RE: Petition for Administrative Variance Case No. 99-425-A Property: 1204 Berans Road

Dear Mr. Glaser:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

**Deputy Zoning Commissioner** 

withy Notroco

TMK:raj Enclosure



# Petition for Administrative Variance

# to the Zoning Commissioner of Baltimore County

1204 Berans Road

Berans 1	Road	
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Glaser		
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Road (4	<u>410) 252</u>	2-2766 Telephone No.
5	MD .	21117 Zip Code
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REU 9115198

CASE NO. 99-425-A

Estimated Posting Date

Zoning Commissioner of Baltimore County

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

220 09 15 198

1204 Berans Ro	ad	<u></u>
Address Owings Mills	Maryland	21117
City	State	Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The proposed accessory use or court is mostly in the rear yard. However, due to the shape of the lot (pie shaped) a portion of it does cross the rear yard line. I believe this is the best location for the court. It is farthest from any adjoining houses and will be well buffered from neighboring properties. Any other location would present a practical difficulty.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.  Signature
Bradley S. Glaser  Name - Type or Print  Amy E. Glaser  Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  I HEREBY CERTIFY, this 26th day of April , 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared  Bradley & Maser and army E. Haser  the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal  April 26, 1999  Date  My Commission Expires 07/03/01

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

R20 09 15 198

1204 Berans Road

Address
Owings Mills Maryland 21117

City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The proposed accessory use or court is mostly in the rear yard. However, due to the shape of the lot (pie shaped) a portion of it does cross the rear yard line. I believe this is the best location for the court. It is farthest from any adjoining houses and will be well buffered from neighboring properties. Any other location would present a practical difficulty.

advertising fee and may be required to provide additional	information.
Signature  Bradley S. Glaser  Name - Type or Print	Amy E. Glaser Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to	
I HEREBY CERTIFY, this 26th day of April of Maryland, in and for the County aforesaid, personally a	ppeared, 1999, before me, a Notary Public of the State
Bradley & Glasse and any E	E. Alaxev
the Affiant(s) herein personally known or satisfactorily is	dentified to me as such Affiant(s), and made oath in due form of rue and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
april 26, 1999 Date	Mary Ellen Wayes  Notary Public  My Commission Expires 07/03/01
	•



CASE NO.

REU 9/15/98

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at	1204	Berans	Road	
		ently zone	_	

I/We do solemnly declare and affirm, under the penalties of

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 to allow an accessory structure to be located on the side yard in lieu of the required rear yard.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we are the leg is the subject of this Petition	gal owner(s) of the n.	property which
Contract Purchaser/Les	ssee:		Legal Owner(s):		
Basiley S. Giras			Bradley S. Glas	er	
Name - Type or Print			Name - Type or Print	,	
Signature			Signature		
Address		Telephone No.	Amy E. Glaser Name - Type or Print	Poles	, i , , , , , , , , , , , , , , , , ,
City	State	Zip Code	Signature /		
Attorney For Petitioner	<u>.</u>		1204 Berans Roa Address	id (410) 25	52-2766 Telephone No.
			Owings Mills	MD	21117
Name - Type or Print			City	State	Zip Code
			Representative to be	Contacted:	
Signature			•		
Company			Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been finds day of day of egulations of Baltimore County ar	th	at the subject matter of th	required, it is ordered by the Zon is petition be set for a public hearin	ing Commissioner og, advertised, as re	of Baltimore County, quired by the zoning
			Zening Commissione	er of Baltimore Cour	nty

Reviewed By

Estimated Posting Date

# ZONING DESCRIPTION BRADLEY S. & AMY E. GLASER PROPERTY 1204 BERANS ROAD 8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING-FOR THE SAME at a point on the west side of Berans Road approximately 2,400 feet east of the intersection of Harmony Woods Road and Berans Road; thence binding on the west side of Berans Road for the following courses and distances: (1) North 30 degrees 20 minutes 00 seconds West 510.00 feet, (2) by a curve to the left with a radius of 229.88 feet a distance of 122.24 feet, then leaving the roadbed of Berans Road and traversing, (3) South 04 degrees 16 minutes 31 seconds West 406.44 feet, (4) South 22 degrees 01 minutes 07 seconds East 295.14 feet, (5) North 59 degrees 40 minutes 00 seconds East 305.27 feet, to the place of beginning. Also being lots 1 and 2 of the "Partial Second Amended Plat of Morrisville", which is recorded in the land records in Plat Book No. 59 folio 15.

Containing 3.00 acres of land, more or less.

H25

Ξ Reced for \$40.00 CK (40) Earlt more Compute, Note of Andrei CASHELL PAES PLU MONER instant tabillain 是是 2004版 医对环的时间 CASHIER'S VALIDATION (3)(7,80) 4.11編 Depti 5 5/29 2 (Receipt 8 (R N), 06/7011 frant (1/2) (44.6) [607] No. 06782 RF Item # 425 ACCOUNT R-COLI-GISO Taken AMOUNT \$ 50.00 YELLOW . CUSTOMER S. Glaser BALTIMORE COUNTY, MARYLA' 1204 Beins Rol. OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT OI Variance PINK - AGENCY FROM: Bradley 14-27-99 where is an experience of the first and and DISTRIBUTION WHITE - CASHIER FOR DATE

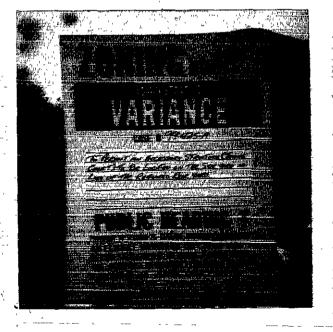
#### CERTIFICATE OF POSTING

RE: CASE # 99-425-A
PETITIONER/DEVELOPER:
(Bradley Glaser)
DATE OF Closing
(May 24, 1999)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

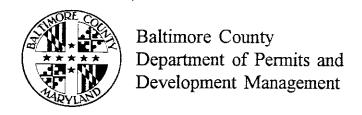
LADIES AND GENTLEMEN:



Sincerely,
Ohom Poltshi
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 24, 1999

.Mr. & Mrs. Bradley S. Glaser 1204 Berans Road Owings Mills, MD 21117

RE: Case No.: 99-425-A

Petitioner: Glaser

Location: 1204 Berans Road

Dear Mr. & Mrs. Glaser:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on April 27, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

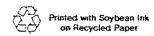
W. Carl Richards,

Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures





700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

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44: File

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: May 17, 1999

Department of Permits & Development

Management

Cobert W. Bowling, Supervisor Bureau of Development Plans Review

'SUBJECT: Zoning Advisory Committee Meeting

for May 17, 1999

Item Nos. 423, 424, 425 427, 429,

431, 432, and 433

(Item Nos. 426 and 434 were BLANK.)

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

**Date:** May 10, 1999

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s): Item No (s): 423, 424, 425, 427, 430, 432 and 433

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date:

5.6.99

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

**Baltimore County** 

Item No. 425

JRF

Dear. Ms Stephens:

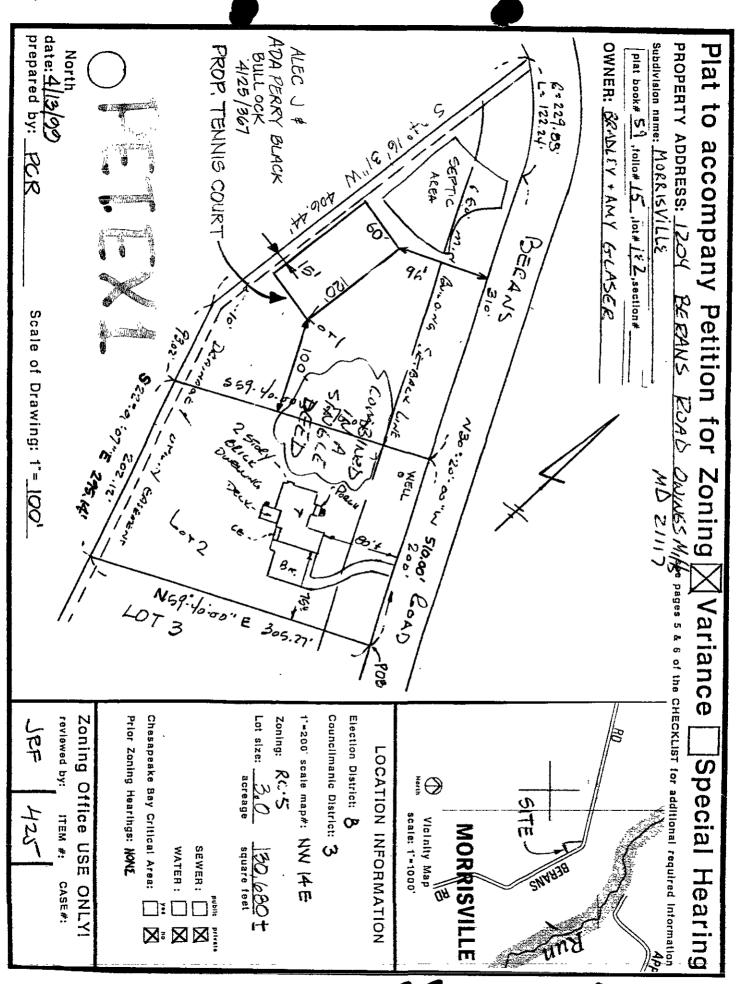
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. J. Hould

1 Michael M. Lenhart, Acting Chief Engineering Access Permits Division



99.425-A

Development Processing
County Office Building
Towson, Maryland 21204

Baltimore County
Department of Permits and Development Management



# CONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County soning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming soning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

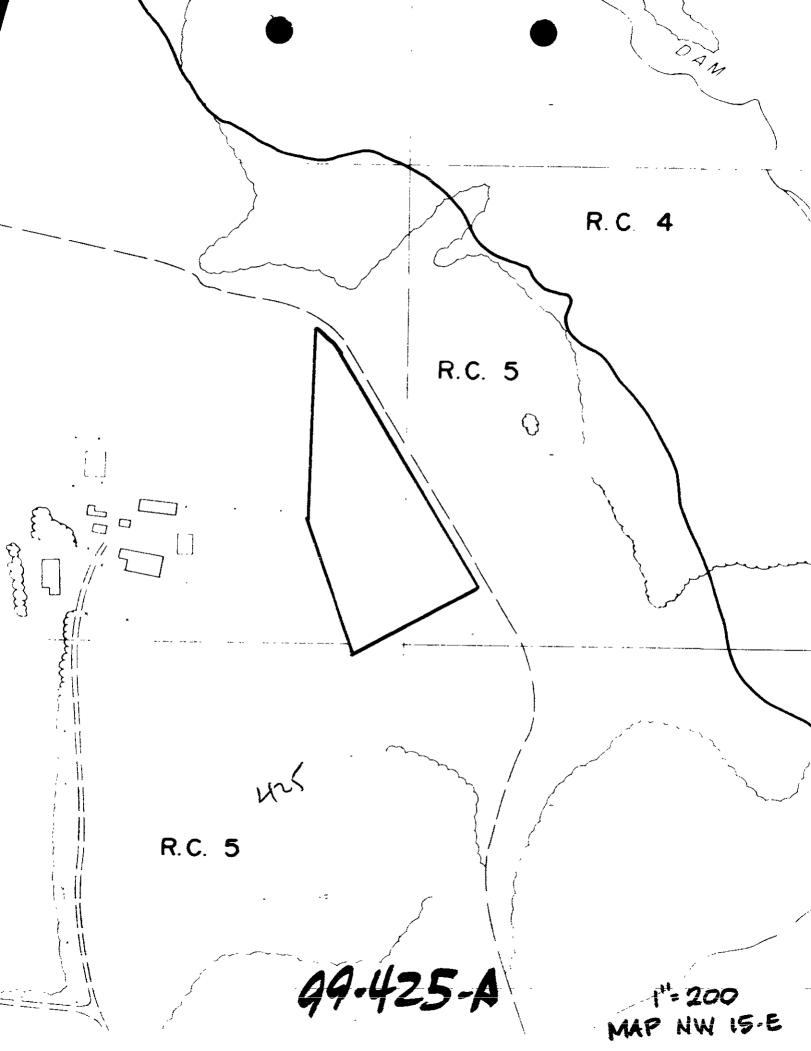
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

#### PAYMENT WILL BE MADE AS FOLLOWS:

- 1)  $\tilde{}$  Rosting fees will be accessed and paid to this office at the time of filing.
- Silling for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

PHONE NUMBER:	
*PIDBESS:	
NAME:	<del></del>
PLEASE FORWARD ADVERTISING BILL TO:	
Location:	<u> </u>
[tem No.: Petitioner:	
For newspaper advertising:	
ARNOLD JABLON, DIRECTOR	

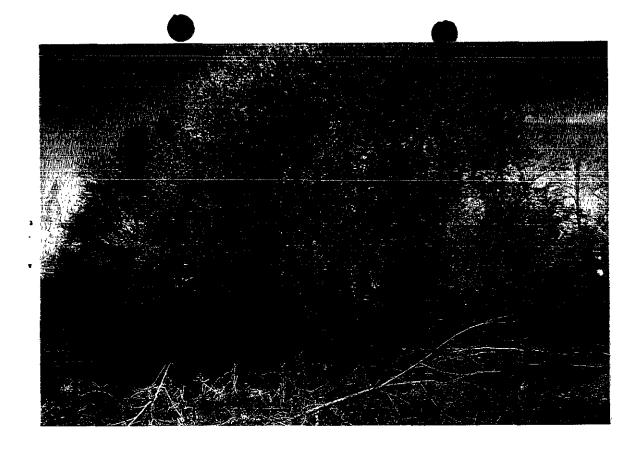






99.425-A

425



PROPOSED COURT LOCATION



PROPOSED COURT LOCATION

99-425-A

425

